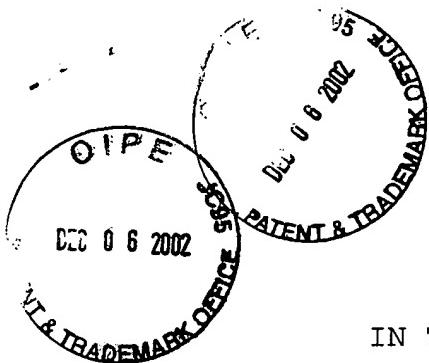


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PATENTS
MOSS/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Robert A. Moss et al.
 Application No. : 09/627,146 Confirmation No.: 1215
 Filed : July 27, 2000
 For : BALL HITTING PRACTICE APPARATUS
 Group Art Unit : 3711
 Examiner : Michael S. Chambers

New York, New York 10020
 December 6, 2002

Attn: Office of Petitions

Commissioner for Patents
 P.O. Box 2327
 Arlington, VA 22202

RECEIVED
 DEC 10 2002

OFFICE OF PETITIONS

PETITION FOR WITHDRAWAL FROM
ISSUE UNDER 37 C.F.R. 1.313(c)(2)

Sir:

Pursuant to 37 C.F.R. § 1.313(c)(2), applicants hereby petition that U.S. patent Application No. 09/627,146 ("the '146 application") be withdrawn from issue. 37 C.F.R. § 1.313 states in relevant part that:

" (c) Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

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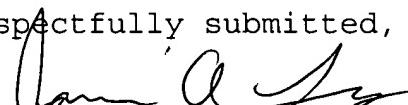
* * *

(2) Consideration of a request for continued examination in compliance with § 1.114;"

Applicants paid the issue fee on September 26, 2002. Applicants request that the '146 application be withdrawn from issue to permit consideration of a request for continued examination under 37 C.F.R. § 1.114 that is being filed together with the filing of this petition. The request for continued examination is being filed with a Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97. Thus, applicants have satisfied the requirements of 37 C.F.R. § 1.313(c)(2).

A check in the amount of \$130.00, in payment of the fee set forth in 37 C.F.R. § 1.17(h) is enclosed herewith. The Director is hereby authorized to charge payment of any additional fees required in connection with this petition, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this petition is enclosed herewith.

Respectfully submitted,



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